

charged for air-conditioning and they put in a ceiling fan that does not work. Does anybody care? Can we get anybody in this Congress, any committee, to hold oversight hearings to care about the massive fraud, waste, and abuse? Not on one's life, not a chance. God forbid that we should be critical of anything that is going on around here, despite the fact that the American taxpayer is getting fleeced wholesale.

I offered an amendment in the Appropriations Committee that would have set up a Truman-style investigating committee. Senator Harry Truman from Missouri, at a time when there was a Democrat in the White House, decided there was substantial abuse by contractors at the start of World War II, and he persuaded a Democratic Congress to set up an investigative committee. Yes, a Democratic Congress and a Democrat in the White House set up an investigative committee, and they saved a massive amount of money by uncovering a dramatic amount of fraud and waste.

Now we have one party control, and nobody wants to embarrass anyone else, so they do not look at anything. It is see no evil, hear no evil, speak no evil. Meanwhile, the American taxpayers are completely getting fleeced by massive waste, fraud, and abuse.

We have done four hearings. I mentioned Halliburton, but I also can mention Custer Battles. I can mention other companies. Obviously, Halliburton is the poster child because they received giant contracts without bidding, and then we see that they are charging the American taxpayer to feed 42,000 soldiers a day when, in fact, they are only feeding 14,000 soldiers a day. So they are charging us for 28,000 meals that are not served. Fraud? I would think so. But what happens these days? First, it does not even get investigated. If it does get investigated, they get a slap on the wrist and a pat on the back with another contract.

This Congress needs to start facing up to these issues and getting tough. No, this is not partisan. If we are going to shove \$81 billion out the door in a supplemental defense funding bill, should we not, along with it, provide the appropriate approach to investigate these? That is what my amendment will do.

I offered my amendment in the Appropriations Committee. It was turned down on a partisan vote, regrettably. This is not a partisan amendment. My hope is that perhaps I will see a different result on the Senate floor.

How much time remains on our 30 minutes?

THE PRESIDING OFFICER (Mr. COLEMAN). There is 15½ minutes remaining.

Mr. DORGAN. Mr. President, I believe the Senator from Connecticut is going to be coming over to claim parts of our 30 minutes, but the time is running. I see the Senator from Kentucky is on the floor. I know that by previous

consent we have established 30 minutes on our side followed by 30 minutes on the other side. At this point, I will relinquish the floor if I could ask that we would reserve the remaining time for Senator LIEBERMAN from Connecticut because he is not here. If the other side would like to continue to take some of their time and then provided that when Senator LIEBERMAN comes, he would have reserved the additional 15½ minutes? I will make that a unanimous consent request and see if the Senator from Kentucky would agree to that.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The majority whip.

FILIBUSTERING OF JUDICIAL NOMINEES

Mr. MCCONNELL. Mr. President, we as senators have an enormous amount of work to do for the American people. For example, while our economy is strong, unfortunately gas prices are way too high. People are feeling those costs every time they fill up at the pump. This Senate needs to seriously address a long-term energy policy for this country, and reduce our dependence on foreign oil.

We have serious work to do to reform America's tax code, so it is fairer for all Americans, and leads to a more robust economy.

We have undertaken a debate on how to reform Social Security so it is stronger and more secure for future generations, as it has served millions so well already over the last 70 years.

Our road system needs improving. Millions of Americans take to the roads everyday to get to work and keep this country moving. It's critical the Senate pass a highway bill. In short, we have a formidable agenda before us. We welcome that challenge. I think that our constituents sent us here to get things done, not just to sit in these fancy chairs. But the Nation's business may soon come to an abrupt halt.

In the face of so much important work to be done, sadly, my Democratic friends on the other side of the aisle are promising to pull the plug on this chamber, and thus shut down the Government. Just because a majority of Senators want to restore the 200-year-old norms and traditions of the Senate, by granting a President's judicial nominees who have majority support the simple courtesy of an up-or-down vote, my colleagues on the other side of the aisle are threatening to stop this Senate dead in its tracks.

An energy bill to begin to address the high cost of gasoline and reduce our dependence on foreign oil? They would say: Forget it.

A highway bill, to begin desperately needed repairs on bridges and roads across the country? They would say: Not a chance.

These and other priorities will not happen if the Democrats shut down the Government. Because they cannot have

what no Senate minority has ever had in 200 years—the requirement of a supermajority for confirmation—they threaten to shut the Government down.

The American people by now must rightly be asking, "How did we get in such a mess?"

It was not by accident. The Democrats did not stumble into this position. It was carefully conceived.

Four years ago, in May of 2001, the New York Times reported that 42 of the Senate's then-50 Democrats attended a private weekend retreat in Farmington, PA, to discuss a plan of attack against the President's judicial nominees.

According to this article, the unprecedented obstruction by the other side is not based on checks and balances, or the rights of the minority. It is about ideology. The Democrats invited speakers to their retreat who warned them that President Bush was planning to, "pack the courts with staunch conservatives."

Now, here's the clincher. According to the New York Times, one participant said:

It was important for the Senate to change the ground rules, and there was no obligation to confirm someone just because they are scholarly or erudite.

Let me make sure that last part came through loud and clear. The Democrats are accusing the Republicans, who merely want to restore the 200-year-tradition of giving judicial nominees with majority support an up-or-down vote, of some kind of power grab. Yet here is a 4-year-old admission that it is the Democrats who are clearly out to "change the ground rules." They knew what they were doing. This was thoroughly premeditated.

That quote says it all. If a minority of the Senate does not get its way in obstructing judges from serving on our Nation's Federal courts, they will "change the ground rules." They will shut down the Government. I say to my friends, I wouldn't take the extreme step of shutting the government down.

I ask unanimous consent to have this New York Times article of May 1, 2001 printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 1, 2001]

DEMOCRATS READYING FOR JUDICIAL FIGHT

(By Neil A. Lewis)

President Bush has yet to make his first nominee to a federal court and no one knows whether anyone will retire from the Supreme Court this summer, an event that would lead to a high-stakes confirmation battle.

Nonetheless, the Senate's Democrats and Republicans are already engaged in close-quarters combat over how to deal with the eventual nominees from the Bush White House. Democrats in particular are trying to show some muscle as they insist that they will not simply stand aside and confirm any nominees they deem right-wing ideologues.

"What we're trying to do is set the stage and make sure that both the White House and the Senate Republicans know that we